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11 **UNITED STATES DISTRICT COURT**  
12 **DISTRICT OF NEVADA**  
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PARIS TERTANNI, individually and on  
behalf of all others similarly situated,

15 Plaintiff,

16 vs.

17 LUMEN TECHNOLOGIES, INC. and  
18 CENTURYLINK, INC.,

19 Defendants.  
20 

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Case No: 2:23-cv-00335-RFB-DJA

**STIPULATION TO EXTEND  
DEFENDANTS' TIME TO RESPOND TO  
PLAINTIFF'S COMPLAINT**

**FIRST EXTENSION**

21 Plaintiff Paris Tertanni and Defendants Lumen Technologies, Inc. and CenturyLink, Inc.  
22 (Defendants together, "Lumen")<sup>1</sup> stipulate, through counsel, to extend Lumen's time to respond  
23 to Ms. Tertanni's Complaint [ECF No. 1] as stated below:

24 1. On March 2, 2023, Ms. Tertanni filed her Complaint.  
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<sup>1</sup> The Complaint names both Lumen Technologies, Inc. and CenturyLink, Inc. as defendants.  
27 CenturyLink, Inc. is not a separate entity from Lumen Technologies, Inc. Rather, in 2021,  
28 CenturyLink, Inc. changed its name to Lumen Technologies, Inc.

1           2.       On March 31, 2023, Ms. Tertanni filed a Proof of Service [ECF No. 5]. The Proof  
2 of Service avers that Dustin Gross of Battle Born Process Service served the Complaint on  
3 Lumen's registered agent, CT Corporation System ("CT Corp."), on March 10, 2023.

4           3.       However, CT Corp. rejected that service attempt and did not notify Lumen that it  
5 had received the Complaint.

6           4.       On March 13, 2023, CT Corp. sent Plaintiff's counsel of record, George Haines, a  
7 Notice of Rejected Service of Process stating that CT Corp. was not the registered agent for the  
8 party he was attempting to serve and, therefore, no documents had been forwarded to any party.

9           5.       Thus, Lumen was not aware of Ms. Tertanni's attempted service of the Complaint  
10 until Ms. Tertanni filed the Proof of Service on March 31, 2023.

11          6.       If Ms. Tertanni's Proof of Service is valid, then Lumen's response to the  
12 Complaint was due March 31, 2023, pursuant to Federal Rule of Civil Procedure 12. That is the  
13 same day Lumen learned of Ms. Tertanni's service attempt.

14          7.       On March 31, 2023, Lumen filed a Motion for Motion for Extension of Time to  
15 Respond to Plaintiff's Complaint [ECF No. 7]. Prior to filing, counsel for Lumen made good  
16 faith efforts to confer with Plaintiff's counsel. However, for the reasons explained above, the  
17 time for conferral was less than twenty-four hours. Counsel were unable to effectively confer in  
18 such a short amount of time.

19          8.       The parties now stipulate that Lumen shall have until May 30, 2023 to answer or  
20 otherwise respond to the Complaint.

21          9.       Good and just cause exists for the stipulated extension because Lumen's  
22 registered agent rejected service, did not forward any documents to Lumen, and notified  
23 Plaintiff's counsel of this. Further, given the nature of the factual allegations and class action  
24 allegations in the Complaint, Lumen needs reasonable time to investigate the allegations before  
25 responding to the Complaint.

26          10.       This is Lumen's first extension of time to respond to the Complaint and is not  
27 made to delay or otherwise interfere with the orderly consideration and disposition of this case.  
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For the reasons stated, Plaintiff Paris Tertanni and Defendants Lumen Technologies, Inc. and CenturyLink, Inc. stipulate to an extension of time, up to and including May 30, 2023, for Defendants to answer or otherwise respond to Plaintiff's Complaint.

SO STIPULATED

Dated: April 4, 2023

FREEDOM LAW FIRM

By: /s/ George Haines, Esq.

George Haines, Esq.  
Nevada Bar No. 9411

*Attorney for Plaintiff Paris Tertanni*

Dated: April 4, 2023

WHEELER TRIGG O'DONNELL LLP

By: /s/ Jennifer J. Oxley

Jennifer J. Oxley  
Nevada Bar No. 15975

*Attorneys for Defendants Lumen Technologies, Inc.,  
and CenturyLink, Inc.*

IT IS SO ORDERED that the parties' stipulation [9] is GRANTED. Defendants shall have until May 30, 2023 within which to respond to Plaintiff's complaint.

IT IS FURTHER ORDERED that Defendants' motion for extension of time to respond to Plaintiff's complaint [7] is DENIED as moot.

DATED: April 5, 2023

  
\_\_\_\_\_  
DANIEL J. ALBREGTS  
UNITED STATES MAGISTRATE JUDGE

**CERTIFICATE OF SERVICE (CM/ECF)**

I hereby certify that on April 4, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

- **George Haines**  
Ghaines@freedomlegalteam.com, igotnotices@freedomlegalteam.com,  
9310938420@filings.docketbird.com

/s/ Jennifer J. Oxley

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2 **UNITED STATES DISTRICT COURT**  
3 **DISTRICT OF NEVADA**  
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5 PARIS TERTANNI, individually and on  
6 behalf of all others similarly situated,

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8 vs.

9 LUMEN TECHNOLOGIES, INC. and  
CENTURYLINK, INC.,

10 Defendants.  
11

Case No: 2:23-cv-00335-RFB-DJA

**[PROPOSED] ORDER RE: STIPULATION  
TO EXTEND DEFENDANTS' TIME TO  
RESPOND TO PLAINTIFF'S COMPLAINT**

**FIRST EXTENSION**

12 THIS MATTER having come before the Court on Plaintiff Paris Tertanni's and  
13 Defendants Lumen Technologies, Inc.'s and CenturyLink, Inc.'s Stipulation to Extend  
14 Defendants' Time to Respond to Plaintiff's Complaint, and the Court having reviewed the same  
15 and being advised in the premises, does hereby enter the stipulated relief as an Order.

16 Defendants Lumen Technologies, Inc. and CenturyLink, Inc. shall have until May 30,  
17 2023 to answer or otherwise respond to Plaintiff's Complaint [ECF No. 1].  
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19 IT IS SO ORDERED:

20 UNITED STATES DISTRICT JUDGE  
21

22 DATED: \_\_\_\_\_  
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